

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 3, 1858.—Ordered to be printed.

Mr. MALLORY submitted the following

REPORT.

The Committee on Naval Affairs, to whom was referred the petition of John Pope, a captain in the navy, praying to be allowed the difference between the pay he received, and that Commodore Abbott would have received had he not died, for the time he discharged the duties of commander of the squadron, have had the same under consideration, and report:

The petitioner's claim to extra compensation having been submitted to the Navy Department for the facts involved therein, the following explanatory letter was received by the committee:

NAVY DEPARTMENT,
January 21, 1858.

SIR: I have the honor to acknowledge the receipt of yours of the 20th instant, enclosing the petition of Captain John Pope, praying extra compensation, and requesting such information, &c., as may be deemed proper.

The death of Commodore Joel Abbott, commanding the East India squadron, on the 14th of December, 1855, made Captain Pope the senior officer on that station until the date of the sailing of the Macedonian (which vessel he commanded) on the 2d of February, 1856, for the United States. In the meantime, Commodore James Armstrong, who had been ordered to relieve Commodore Abbott, left New York on the 25th of October, 1855, in the steam frigate San Jacinto, for the East Indies.

Captain Pope never received any order from the department to hoist a broad pennant, nor was he recognized by it as commanding a squadron.

It should be stated that Captain Pope was at that time, and is now, a captain, promoted under the act of February 28, 1855, to fill a vacancy created by the reserved list. Captain Pope, on the 28th of

August, 1856, after the return of the Macedonian to the United States, applied to the department to be allowed the pay of a commodore, and was answered, that, "If there were no other objection to your (his) being allowed pay as commander of a squadron, the allowance would be prohibited by the act of February 28, 1855, which decides the pay of officers promoted under that act."

The petition is herewith returned.

I am, sir, very respectfully, your obedient servant,

ISAAC TOUCEY.

Hon. S. R. MALLORY,

Chairman Committee on Naval Affairs, United States Senate.

Your committee are of opinion that the petitioner presents no just grounds for allowance prayed, and therefore ask to be discharged from the further consideration of the subject.